

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 24-cr-296 (ECT/TNL)

Plaintiff,

v.

ORDER

Havion Eddie Amaru Holmes,

Defendant.

This matter comes before the Court on Defendant Havion Eddie Amaru Holmes's Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 14. Defendant requests a 45-day continuance of the motion filing deadline to give Defendant additional time to review the voluminous discovery in this matter that was recently provided to defense counsel. *Id.* Defendant also needs additional time to confer with his counsel on next steps. *Id.* Defendant requests for the period of continuance to be excluded from computation under the Speedy Trial Act. *Id.* The Government confirmed over email correspondence that it has no objection to the requested continuance.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide the parties and their respective counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 14, is **GRANTED**.

2. The period of time from **the date of this Order through January 13, 2025**, shall be excluded from Speedy Trial Act computations in this case.

3. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **January 13, 2025**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses must be delivered directly to the chambers of Magistrate Judge Leung.

4. **Counsel must electronically file a letter on or before January 13, 2025, if no motions will be filed and there is no need for hearing.**

5. All responses to motions must be filed by **January 27, 2025**. *See* D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses must be filed by **January 27, 2025**. *See* D. Minn. LR. 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses must be filed by **January 30, 2025**. *See* D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or

- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required, the motions hearing must be heard before Magistrate Judge Tony N. Leung on **February 5, 2025, at 10:00 a.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d).

12. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT:**
the following trial and trial-related dates are:

Counsel should submit two hard copies of trial briefs, voir dire, proposed jury instructions, exhibit and witness lists, and trial-related motions (including motions in limine) to District Judge Eric C. Tostrud's chambers on or before **February 10, 2025**. In addition, counsel should email the proposed jury instructions and exhibit and witness lists to: tostrud_chambers@mnd.uscourts.gov.

Judge Tostrud will hold a final pretrial on **February 21, 2025, at 9:00 a.m.** in **Courtroom 7D**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

This case must commence trial on **February 24, 2025, at 9:00 a.m.** before District Judge Tostrud in **Courtroom 7D**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel**

must contact the Courtroom Deputy for District Judge Tostrud to confirm the new trial date.

Dated: November 27, 2024

s/Tony N. Leung

Tony N. Leung
United States Magistrate Judge
District of Minnesota

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